



Dkt. 0424/78805/JPW/GC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ehud Cohen et al.

Serial No. : 10/722,589

Examiner : Mark W. Bockelman

Filing Date : November 25, 2003

Art Unit : 3766

For : TREATMENT OF DISORDERS BY UNIDIRECTIONAL NERVE
STIMULATION

30 Rockefeller Plaza, 20th Floor
New York, New York 10112

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Bio Control Medical (B.C.M.) Ltd. ("Bio Control"), 3 Giron Street, Yahud 56100, Israel, is the assignee of record of the entire right, title, and interest in the above-identified application by virtue of assignments recorded in the U.S. Patent and Trademark Office on April 22, 2004 at Reel No. 015254, Frames 0100-0103 and on February 11, 2008 at Reel No. 020783, Frames 0199-0202. A copy of the Patent Assignment Abstract of Title for the subject application is attached hereto as Exhibit B.

Bio Control is the assignee of record of the entire right, title, and interest in U.S. Serial No. 10/488,334 by virtue of assignments recorded in the U.S. Patent and Trademark Office on July 6, 2004 at Reel No. 014820, Frames 0671-0673 and on February 11, 2008 at Reel No. 020783, Frames 0199-0202. A copy of the Patent Assignment Abstract of Title for U.S. Serial No. 10/488,334 is attached hereto as Exhibit C.

Bio Control hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on the subject application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 of

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Exhibit A

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any patent granted on commonly assigned U.S. Serial No. 10/488,334. Bio Control hereby agrees that any patent issued from the subject application shall be enforceable only for and during such period that such patent is commonly owned with any patent granted on U.S. Serial No. 10/488,334, this agreement to run with any patent granted on the subject application and to be binding upon the grantee, its successors and assigns.

In making the above disclaimer, Bio Control does not disclaim the terminal portion of the term of any patent granted on the subject application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent granted on U.S. Serial No. 10/488,334 in the event that such patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of the full statutory term of such patent.

I have reviewed the Patent Assignment Abstract of Title documents attached hereto and certify that, to the best of my knowledge and belief, Bio Control Medical (B.C.M.) Ltd. is the assignee of all right, title, and interest in the subject application and U.S. Serial No. 10/488,334. I further certify that I am authorized to sign this Terminal Disclaimer on behalf of Bio Control Medical (B.C.M.) Ltd.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that any such willful false statement and the like so made is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that any such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Date: 6/6/2010

Bio Control Medical (B.C.M.) Ltd.

Signature

Name

Title


Ehud Cohen

CEO

EXHIBIT B



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Total Assignments: 2

Patent #: NONE

Issue Dt:

Application #: 10722589

Filing Dt: 11/25/2003

Publication #: 20040172094

Pub Dt: 09/02/2004

Inventors: Ehud Cohen, Yossi Gross, Shai Ayal

Title: Treatment of disorders by unidirectional nerve stimulation

Assignment: 1

Reel/Frame: 015254/0100

Recorded: 04/22/2004

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: COHEN, EHUD

Exec Dt: 01/03/2004

GROSS, YOSHI

Exec Dt: 01/03/2004

AYAL, SHAI

Exec Dt: 02/03/2004

Assignee: BIOCONTROL MEDICAL LTD.

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Assignment: 2

Reel/Frame: 020783/0199

Recorded: 02/11/2008

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: BIOCONTROL MEDICAL, LTD.

Exec Dt: 01/14/2008

Assignee: BIO CONTROL MEDICAL (B.C.M.) LTD.

3 GIRON STREET

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For pending or abandoned applications please consult USPTO staff.**

Total Assignments: 2**Patent #:** NONE**Issue Dt:****Application #:** 10488334**Filing Dt:** 07/06/2004**Publication #:** 20040243182**Pub Dt:** 12/02/2004**Inventors:** Ehud Cohen, Yossi Gross, Shai Ayal**Title:** TREATMENT OF DISORDERS BY UNIDIRECTIONAL NERVE STIMULATION**Assignment: 1****Reel/Frame:** 014820/0671**Recorded:** 07/06/2004**Pages:** 3**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignors:** COHEN, EHUD**Exec Dt:** 04/28/2004GROSS, YOSHI**Exec Dt:** 04/28/2004AYAL, SHAI**Exec Dt:** 05/03/2004**Assignee:** BIOCONTROL MEDICAL LTD.

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Assignment: 2**Reel/Frame:** 020783/0199**Recorded:** 02/11/2008**Pages:** 4**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** BIOCONTROL MEDICAL, LTD.**Exec Dt:** 01/14/2008**Assignee:** BIO CONTROL MEDICAL (B.C.M.) LTD.

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